

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK  
SYRACUSE DIVISION**

ANTHONY GRIFFIN, MARK MCINDOO,	)	
and SUZANNE DETOMASO, on behalf of	)	
themselves and all others similarly situated,	)	Civil Action No.: 5:16-cv-354
	)	(LEK/ATB)
Plaintiffs,	)	
	)	
v.	)	
	)	
	)	
ALDI, INC., DOE DEFENDANTS 1-10,	)	
	)	
Defendants.	)	

**PLAINTIFFS' NOTICE OF MOTION AND MOTION REQUESTING: FINAL APPROVAL  
OF PROPOSED SETTLEMENT, CLASS CERTIFICATION, AWARD OF ATTORNEYS'  
FEES AND EXPENSES AND SERVICE AWARDS**

Pursuant to Federal Rule of Civil Procedure 23, Plaintiffs in the above-captioned class and collective action hereby move the Court for:

- (a) final approval of the proposed Settlement;
- (b) final certification, for settlement purposes only, of the Rule 23 New York Class of New York workers;
- (c) appointment of Plaintiffs' counsel as Class Counsel;
- (d) approval of the requested attorneys' fees and expenses; and
- (e) approval of the requested service awards to the names Plaintiffs.

In support of this motion, Plaintiffs submit the accompanying (1) Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of the Proposed Settlement and Final Certification of the Rule 23 New York Class; (2) the Memorandum of Law in Support of Plaintiffs' Application for Attorneys' Fees, Litigation Expenses and Service Awards to Names Plaintiffs; (3) the Declaration of Adam Gonnelli, which contains the Declarations of the three named Plaintiffs; (4) the Declaration of Innessa Melamed Huot; (5) the Declaration of Frank S. Gattuso; (6) the Declaration of Lloyd Ambinder, (7) the Declaration of Michael Tompkins; and (8) the Declaration Brian Devery; as well as the proposed order and all pleadings, exhibits, records, and documents on file in this case, any

matters of which judicial notice may be taken, any oral argument that may be presented, and any such matters the Court deems just and necessary.

Defendant does not oppose this motion.

Accordingly, Plaintiffs respectfully request this Court grant their motion.

Dated: November 5, 2018

By: /s/ Adam R. Gonnelli  
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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on November 5, 2018, she electronically filed the foregoing **Notice of Motion and Motion for Final Approval of Proposed Settlement, class certification, award of attorneys' Fees and Expenses, and Service Awards** with the Clerk of the Court using the ECF system, which will send notification of such filing to the following counsel of record:

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